

Message Text

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PAGE 01 BRASIL 02363 01 OF 02 281412Z

ACTION DHA-02

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H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

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AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE SECTION 1 OF 2 BRASILIA 2363

E.O. 11652: N/A

TAGS: SHUM, PARM, TECH, BR, US

SUBJECT: NEW CRITICISM AGAINST US POSITIONS ON HUMAN

RIGHTS AND NUCLEAR ACCORD

1. SUMMARY. A NEW OUTBREAK OF GOVERNMENT CRITICISM, THIS TIME
EMANATING CHIEFLY FROM THE LEGISLATIVE BRANCH, HAS HIT THE US
POSITION ON HUMAN RIGHTS. IN SPEECHES DELIVERED MARCH 22-23,
THIRD MILITARY REGION COMMANDER SERPA, SENATE PRESIDENT
PORTELLA, AND SENATE MAJORITY LEADER REZENDE, LASHED OUT AT
US ON HUMAN RIGHTS WITH LATTER TWO CRITICIZING USG POSITION
ON NUCLEAR ACCORD, AS WELL. COMMON THEMES WERE BRAZILIAN
FIDELITY TO HUMAN RIGHTS, U.S. PAST WHICH DENIES IT THE MORAL
STATUTE TO ACT AS JUDGE, WIDENED CONCEPT OF HUMAN RIGHTS TO
EMBRACE THE ECONOMIC AND SOCIAL CONDITIONS ESSENTIAL TO
HUMAN DIGNITY, THE HYPOCRISY OF SANCTIMONIOUS INDUSTRIALIZED
COUNTRIES WHICH VIOLATE THOSE HUMAN RIGHTS BY PRESERVING
AN UNJUST INTERNATIONAL ECONOMIC ORDER AND IMPEDING THIRD
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PAGE 02 BRASIL 02363 01 OF 02 281412Z

WORLD ACCESS TO TECHNOLOGY (READ TO INCLUDE NUCLEAR) FOR
PEACEFUL DEVELOPMENT, AND THE WILL TO HEGEMONY WHICH UNDERLIES
SUCH ACTIONS AND IS MASKED BY HUMAN RIGHTS RHETORIC. LATEST
SPEECHES IMPLY SOME SHIFT OF BURDEN FOR PROPAGANDA DEFENSE
AGAINST US INITIATIVES FROM EXECUTIVE TO LEGISLATIVE BRANCH,
AND BROADENING OF THE TERMS OF REFERENCE IN THAT DISPUTE TO
LINK THE HUMAN RIGHTS QUESTION TO ALLEGED US NON-RESPONSIVENESS

ON NORTH-SOUTH ISSUES. END SUMMARY.

2. NEW OUTBREAK OF GOVERNMENT (MOSTLY LEGISLATIVE BRANCH) CRITICISM HAS ARISEN AGAINST U.S. FOR ITS POSITION ON HUMAN RIGHTS AND GOB/FRG NUCLEAR ACCORD. FIRST ITEM WAS A SPEECH DELIVERED MARCH 22 TO PORTO ALEGRE MILITARY HIGH SCHOOL STUDENTS BY THIRD MILITARY REGION COMMANDER GEN. ANTONIO SERPA. AT ONE POINT, SERPA COUNSELLLED ALERTNESS TO SOVIET GAINS, INCLUDING TREATY OF HELSINKI, BY WHICH U.S. ALLEGEDLY RATIFIED SOVIET CONQUEST OF EASTERN EUROPE. "AND THINK," HE CONTINUED "WHAT PRESIDENT CARTER'S STATEMENT, WHILE STILL A CANDIDATE, MEANS TO YUGOSLAV YOUTH: GUARANTEEING THAT, IF RUSSIA INVADES YUGOSLAVIA, HE WILL HAVE NOTHING TO DO WITH THIS." LATER IN SPEECH, SERPA REVIEWED LONG HISTORY OF BRAZILIAN CONCERN FOR HUMAN RIGHTS, CONCLUDING THAT "ALL THIS DEMONSTRATES THAT OUR COUNTRY DOES NOT NEED TO RECEIVE FROM ANYONE CLASSES OR LESSONS ON THE DEFENSE OF HUMAN RIGHTS. THE DEFENSE OF HUMAN RIGHTS IS OUR TRADITION, WHICH THE ARMY CAREFULLY PRESERVES."

3. SAME DAY, IN WHAT WE UNDERSTAND WERE LAST MINUTE ADDITIONS TO REMARKS PREPARED FOR DELIVERY AT OPENING OF ACADEMIC YEAR OF UNIVERSITY OF BRASILIA LAW SCHOOL, SENATE PRESIDENT PETRONIO PORTELLA TOOK INDIRECT, BUT UNMISTAKABLE AIM AT U.S. PORTELLA OBSERVED THAT TO THE STRONG WHO IMPOSE RULES OF TRADE DESIGNED TO PROTECT THEMSELVES, ETHICS GIVE WAY TO INTEREST WHEN IT IS A CASE OF THE TWO-THIRDS OF HUMANITY LIVING IN MISERY AND DENIED HUMAN RIGHTS AND UN CHARTER BENEFITS BY AN INIQUITOUS AND EXPLOITATIVE INTERNATIONAL ORDER. "INSTEAD OF IMPROPER LIMITED OFFICIAL USE

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PAGE 03 BRASIL 02363 01 OF 02 281412Z

INTROMISSIONS IN THE LIFE OF OTHER NATIONS ON THE PRETEXT OF HUMANITARIAN OBJECTIVES," PORTELLA WENT ON, "WOULD THAT THEY HALT IN THEIR OWN DOMAINS THE SOURCE OF UNJUST EXCHANGES RESPONSIBLE FOR THE HUNGER OF MANY DOZENS OF COUNTRIES, THAT IS, THE SYSTEMATIC DENIAL OF HUMAN RIGHTS." SOVEREIGNTY, DECLARED PORTELLA, IS DENIED IN THE NAME OF ECONOMIC AND MILITARY HEGEMONY, AND "STATES CANNOT HAVE ACCESS TO NUCLEAR ENERGY FOR PEACEFUL PURPOSES BECAUSE THOSE WHO APPLY THIS TECHNOLOGY MASSIVELY FOR MILITARY ENDS CONSIDER THEMSELVES THE ONLY FIT AND EXCLUSIVELY OWNERS, ASSUMING THE FUNCTION OF POLICING THE WORLD." COMMENTS WERE VIGOROUSLY APPLAUDED BY AUDIENCE WHICH INCLUDED LEADING LEGISLATORS, EXECUTIVE BRANCH REPRESENTATIVES, AND NUMEROUS JUDGES FROM MILITARY AND CIVIL COURTS.

4. SAME BASIC THEMES WERE VENTED FOLLOWING DAY, IN PHILIPPIC DELIVERED IN SENATE BY MAJORITY LEADER EURICO REZENDE. REZENDE TOOK AS POINT OF DEPARTURE PRESIDENT CARTER'S UN SPEECH, NOTING THAT CARTER'S REFERENCE TO "GLOBAL CHARACTER" OF LATIN AMERICAN PROBLEMS PRESUMABLY MEANS THE PROJECTION OF US

NATIONAL INTERESTS, INCLUDING HUMAN RIGHTS. BRAZIL, DECLARED REZENDE, ACCEPTS INTERNATIONAL CONCERN AND COOPERATION ON HUMAN RIGHTS, BUT LOOKS WITH CAUTION ON EFFORTS OUTSIDE ACCEPTED INTERNATIONAL FORA, WHICH COULD GIVE RISE TO ARBITRARY ACTS AND ENDANGER A HARMONIOUS INTERNATIONAL ORDER BASED ON NON-INTERFERENCE AND MUTUAL RESPECT AMONG STATES. BRAZIL CANNOT ACCEPT HUMAN RIGHTS EXAMINATIONS OR SANCTIONS BY ANOTHER STATE EVEN WERE IT CONFIDENT OF THE PURE MOTIVES AND MORAL STATURE OF THAT STATE TO EXERCISE SUCH FUNCTIONS. ONLY DULY ACCREDITED AND REPRESENTATIVE INTERNATIONAL ORGANS, ACTING ON CLEAR AND ACCEPTED JURIDICAL BASES, WOULD BE COMPETENT TO ADDRESS ALLEGED VIOLATIONS. INDEED, CONTINUED REZENDE, BRAZIL AND OTHER LDC'S IN UNCTAD HAVE ARGUED FOR THE BINDING NATURE OF UNCTAD RESOLUTIONS, BECAUSE SUCH RESOLUTIONS, WHICH WOULD ASSIST THE ECONOMIC DEVELOPMENT ESSENTIAL TO A QUALITY OF LIFE FOR DEVELOPING PEOPLES COMPATIBLE WITH FUNDAMENTAL HUMAN RIGHTS, HAVE REPEATEDLY BEEN IGNORED BY MANY OF THE DEVELOPED COUNTRIES THAT VOTED FOR LIMITED OFFICIAL USE

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PAGE 04 BRASIL 02363 01 OF 02 281412Z

THEM. BECAUSE REALIZATION OF SUCH HUMAN RIGHTS WOULD NECESSITATE ECONOMIC CONCESSIONS, SOME PROSPEROUS COUNTRIES HAVE MAINTAINED THAT THE RESOLUTIONS HAVE ONLY A MORAL FORCE.

5. REZENDE CHARGED THAT "IT IS EXACTLY ONE OF THE COUNTRIES MOST OPPOSED TO THE BINDING NATURE OF UNCTAD RESOLUTIONS, AND WHICH MOST INSISTS ON THE PRIVILEGE OF THE VETO IN THE SECURITY COUNCIL, WHICH TODAY WANTS TO ATTRIBUTE TO ITSELF THE RIGHT TO JUDGE THE ACTS OF OTHER GOVERNMENTS." BRAZIL, HE DECLARED, ACCEPTS INTERNATIONAL DISCUSSION OF HUMAN RIGHTS, BUT REJECTS A CONCEPT OF THEM RESTRICTED TO CONCERN OVER ABUSIVE PRACTICES AND THE EXERCISE OF CIVIL LIBERTIES. "IT IS UNSATISFACTORY BEHAVIOR TO GIVE EMPHASIS ONLY TO THOSE POINTS IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS WHICH BEST SERVE THE

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PAGE 01 BRASIL 02363 02 OF 02 281425Z
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LIMITED OFFICIAL USE SECTION 2 OF 2 BRASILIA 2363

POLITICAL OBJECTIVES OF SOME COUNTRIES." YET WORSE, HE
CONTINUED, ARE THOSE GOVERNMENTS WHICH GIVE RHETORICAL SUPPORT
TO THE DECLARATION YET SEEK "TO IMPEDE THE EFFORTS OF
OTHER PEOPLES IN THE STRUGGLE FOR ECONOMIC PROGRESS AND SOCIAL
WELL-BEING." HUMAN RIGHTS DEPEND UPON ECONOMIC AND SOCIAL CON-
DITIONS FOR THE FREE DEVELOPMENT OF THE PERSONALITY, AND UPON
A JUST INTERNATIONAL ORDER, "WHICH ASSURES THE SOVEREIGN RIGHT
OF A PEOPLE TO FREELY SEEK ABROAD THE COOPERATION THAT THEY
JUDGE NECESSARY FOR THEIR PROCESS OF ... DEVELOPMENT." THE
STRUGGLE FOR INTERNATIONAL SUPREMACY, HE DECLARED, LEADS TO
GREAT POWER ASSAULTS ON HUMAN RIGHTS; ONE COUNTRY HAS SUDDENLY
SOUGHT TO EXORCISE ITS OWN DEMONS BY SITTING IN JUDGMENT
OVER OTHER PEOPLES, WHEN IT WOULD DO BETTER TO LOOK TO ITS
OWN BEHAVIOR. NEVER HAVING SYSTEMATICALLY PRACTICED RACIAL DIS-
CRIMINATION, CONCEALED CRIME ORGANIZED ON A NATIONAL SCALE, OR
USED ESPECIALLY CRUEL WEAPONS SUCH AS NUCLEAR BOMBS, BRAZIL
CAN WELL REJECT LESSONS CONTRADICTED BY THE PRACTICE OF THOSE
WHO DELIVER THEM. PRESIDENT CARTER, HE CONCLUDED, HAS ALREADY
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PAGE 02 BRASIL 02363 02 OF 02 281425Z

HAD TO QUALIFY, INDEED NEGATE, HIS HUMAN RIGHTS POSITIONS IN
THE FACE OF THE COMPLEXITY OF THE ISSUES INVOLVED. THE IMPOSITION
OF PRIVATE SOLUTIONS ON A UNIVERSAL SCALE IS INSUPPORTABLE, AND
IT WOULD BE A PITY IF AFTER TWO THOUSAND YEARS, THE WESTERN
WORLD HAD ONCE MORE TO CONCLUDE THAT PEACE AMONG PEOPLES IS ONLY
POSSIBLE BY SUBORDINATION TO THE DESIRES OF ROME.

6. FOLLOWING SPEECH, CHAMBER OF DEPUTIES MAJORITY LEADER JOSE
BONIFACIO PROCLAIMED THAT "POLITICAL UNITY DERIVES EXACTLY
FROM THE HARMONIOUS DECLARATIONS BEING MADE WITH REGARD TO THE
INTERVENTION OF THE UNITED STATES." AT SAME TIME, BONIFACIO
CRITICIZED THE "ANTI-BRAZIL" STANCE OF MDB SENATOR MARCOS FREIRE,
WHO DELIVERED SPEECH ON MARCH 22 DENOUNCING AI-5 AS A SOURCE OF
VIOLATIONS OF HUMAN RIGHTS, THE LATTER BEING A MATTER WHICH
TRANSCENDS NATIONAL BOUNDARIES AND FOR WHICH BRAZIL OWES AN
ACCOUNTING TO THE INTERNATIONAL COMMUNITY. FREIRE DECLARED THAT

UNIFIED AND BIPARTISAN CONGRESSIONAL SUPPORT RENDERED GOB
ON THE NUCLEAR ACCORD AND DENUNCIATION OF US/BRAZIL MILITARY
ACCORD WAS A SIGN OF COUNTRY'S INTERNAL UNION, POLITICAL MATURITY,
AND RADINESS FOR DEMOCRATIC REFORMS; HE ADDED THAT IN SEEKING
ITS OWN POLITICAL MODEL, BRAZIL SHOULD NONETHELESS CONSTRUCT
IT ON BASIS OF UNIVERSAL DECLARATION OF HUMAN RIGHTS.

7. ESTADO DE SAO PAULO REPORTED THAT AREANA SPEECHES MEANT THAT
LEGISLATIVE BRANCH, WHICH UNTIL NOW HAD MOSTLY APPLAUSED PRESI-
DENT GEISEL'S ACTIONS AGAINST US INTERFERENCE, WAS NOW ASSUMING
DIRECT ROLE IN REPELLING FOREIGN INTRUSION. ESTADO,
WHICH TOOK NOTE OF THEMATIC SIMILARITY OF PORTELLA'S AND
REZENDE'S COMMENTS, SAW SPEECHES AS INSPIRED BY FOREIGN MIN-
ISTRY OR PRESIDENT'S OFFICE, WITH RENEWED OFFENSIVE DESIGNED
TO GIVE IMPRESSION ABROAD OF NATIONAL UNITY AND SOLIDARITY OF
EXECUTIVE AND LEGISLATIVE BRANCHES ON THE ISSUE. FOLHA DE
SAO PAULO ALSO REPORTED THAT SENATOR REZENDE'S SPEECH WAS
GIVEN TO HIM BY THE PRESIDENT'S OFFICE AND IT NOTED THAT
WORDING WAS REMINISCENT OF PAST STATEMENTS BY FOREIGN MINISTER
SILVEIRA.

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PAGE 03 BRASIL 02363 02 OF 02 281425Z

8. EDITORIAL REACTION HAS BEEN MIXED. JORNL DO BRASIL OF
MARCH 23 LAMENTED FACT THAT PORTELLA HAD BEEN ATTRACTED TO A
RATIONALE AGAINST U.S. HUMAN RIGHTS INITIATIVES WHICH WAS PARALLEL
TO PREVIOUS DAY'S REMARKS BY SOVIET LEADER BREZHNEV. BREZHNEV'S
DEFENSE OF A NATIONAL SOVEREIGNTY SUPPOSEDLY THREATENED BY
OUTSIDE MOVEMENTS ON BEHALF OF HUMAN RIGHTS, WAS SOPHISTRY IN
VIEW OF SOVIET USE OF INFILTRATION FOR EXPANSIONIST AIMS.
FOR HIS PART, PORTELLA CONFUSED THE RIGHT TO LIFE AND PROGRESS
WITH ANOTHER INALIENABLE RIGHT, THAT OF RESPECT FOR THE
HUMAN PERSON; ONCE FED, A INDIVIDUAL SHOULD NOT HAVE TO
ABDICTATE HIS WON WILL. FORTUNATELY, CONCLUDED JORNAL,
PORTELLA CAN COMPREHEND HIS ERROR, WHILE BREZHNEV NEVER
COULD.

9. CORREIO BRASILIENSE EDITORIAL OF MARCH 24 LAUDED PORTELLA'S
SPEECH AND SAW US INTENTION NOT AS WORLD REORDERING ENVISAGED BY
UN CHARTER, BUT THE DESTRUCTION OF WORLD ORDER, OFFERING NO
OPTION BUT UNCONDITIONAL SURRENDER. WHAT UNDERDEVELOPED WORLD
WANTS, DECLARED CORREIO, IS NOT US PRESIDENT'S CONCERN OVER
ITS BEHAVIOR IN DEFENSE OF ITS OWN INTERESTS AND PEOPLES, BUT
A PIECE OF BREAD, EARNED NOT BY AID WHICH DISQUISES THE ACTION
OF LARGE FINANCIAL INTERESTS, BUT BY INDIGENOUS EFFORT.

10. E O ESTADO EDITORIAL OF MARCH 25 INTERPRETED PORTELLA AND
REZENDE SPEECHES AS PART OF PLANALTO-INSPIRED STRATEGY TO REACH
A NEW "DETENTE" BY THE USE OF BREZHNEV-LIKE ARGUMENTS; AND TO
FOLLOW THAT BY A CAMPAIGN FOR NATIONAL UNITY WHICH WOULD OBFUSCATE

THE DESIRE OF THE PEOPLE FOR SOVEREIGNTY. THE SPEECHES, CONTINUED ESTADO, SUGGESTED THAT LIBERTIES ARE A PREMATURE LUXURY WHICH BRAZIL WILL ONLY ADOPT WHEN TRADE RULES ARE MODIFIED. HUMAN RIGHTS, DECLARED ESTADO, DO GO BEYOND CIVIL LIBERTIES, BUT WORLD HUNGER AND UNJUST RRADE RELATIONS SHOULD NOT BECOME AN "ALIBI" FOR NEGLECTING THE DEFENSE OF WHAT IS SPECIFICALLY HUMAN. MOREOVER, IF THE WORLD ORDER FOR WHICH THE TWO LEGISLATORS CLAMORED IS TO BE FOUNDED ONLY ON THE PRICIPLE OF NON-INTER-LIMITED OFFICIAL USE

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PAGE 04 BRASIL 02363 02 OF 02 281425Z

ERENCE, IT IS THE SORT OF ORDER ADVOCATED BY BREZHNEV, BASED ON A RATIONALE WHICH WOULD HAVE CONDEMNED INTERNATIONAL CONCERN FOR THE JEWS OF NAZI GERMANY, FOR DREYFUS AND FOR SACCO AND VANZETTI, AND WOULD NEGATE THE CURRENT GOB POSITION ON APARTHEID IN SOUTHERN AFRICA. THE SPEECHES, CONCUDED O ESTADO, SUGGESTED THAT BRAZIL DEFENDS ITSELF NOT BY DISPROVING THE ACCUSATIONS, BUT BY INSINUATING THAT IT IS GUILTY OF A LESSER CRIME, AS SEEN IN THE LIGHT OF ITS OWN STANDARDS. BETTER THAT BRAZIL REMAIN OUTSIDE THE "SOVEREIGNTY OF OPPRESSION" WHICH CHARACTERIZES THE BREZHNEV REGIME, LEST IT PAY THE KIND OF RHETORICAL SUPPORT TO THE UNIVERSAL DECLARATION WHICH IT TODAY IMPUTES TO THE U.S.

11. COMMENT. CLEARLY THE STATEMENTS OF BOTH SENATE LEADERS ON THE US ROLE WERE DIRECTED IF NOT DRAFTED BY THE EXECUTIVE BRANCH. BY USING THE COMPLIANT ARENA LEADERS OF THE LEGISLATIVE BRANCH TO CARRY ON THE OFFENSIVE, PRESIDENT GEISEL AND EXECUTIVE BRANCH MAKE POSSIBLE A CONTINUED FLOW OF DEFIANT, NATIONAL UNITY RHETORIC DIRECTED AT WASHINGTON WITHOUT HAVING TO TAKE DIRECT RESPONSIBILITY FOR IT. MEANWHILE, THE EXECUTIVE CAN RESUME FOR THE TIME BEING AN AIR OF PURPOSEFUL SERENITY AND BUSINESS-AS-USUAL. WE ALSO SEE THE OFFENSIVE AS A RESPONSE TO PRESIDENT CARTER'S UN SPEECH AS WELL AS AN ATTEMPT TO OVER-COME THE IMPRESSION LEFT BY THE LUKEWARM STATEMENTS OF A NUMBER OF OPPOSITION LEGISLATORS THAT THE CONGRESS DOES NOT FULLY SUPPORT THE EXECUTIVE'S SENSE OF OUTRAGE ON THE HUMAN RIGHTS REPORT. WHILE GOB IN THE PAST HAS TIED TRANSFER OF NUCLEAR TECHNOLOGY TO NORTH-SOUTH CONFLICT, THE PORTELLA AND REZENDE STATEMENTS SEEING HUMAN RIGHTS VIOLATIONS IN US UNRESPONSIVENESS ON INTERNATIONAL TRADE AND TECHNOLOGY ISSUES ARE A NEW DEPARTURE IN DEBATE, THOUGH ONE WHICH REFLECTS GOB'S KNOWN VIEWS ON NORTH-SOUTH ISSUES.

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